

In re the marriage of:

JOINT PETITIONER-WIFE

Street Address _____
City, State _____, _____
ZIP _____

and

JOINT PETITIONER-HUSBAND

Street Address _____
City, State _____, _____
ZIP _____

(Mark only one with an X)

☐ **STATE OF WISCONSIN is NOT a party**

☐ **STATE OF WISCONSIN IS a party**

Waukesha County, Office of Corporation Counsel
Child Support Division Administration Center, Room 346
1320 Pewaukee Road, Waukesha, WI 53188
Phone: (262) 548-7420

Findings of Fact, Conclusions of Law and Judgment by Joint Petitioners

No Minor Children

Case # _____

Divorce-40101

I. TRIAL:

1. Presiding Judge _____

2. Address _____

Waukesha County Courthouse
515 W. Moreland Blvd.
Waukesha, WI 53188

3. Date(s) of Trial _____, 20____, _____, 20____
(Month) (Day) (Year) (Month) (Day) (Year).

4. Date divorce was granted _____, 20____
(Month) (Day) (Year).

II. APPEARANCES:

1. JOINT PETITIONER-WIFE ☐ did not appear OR ☐ appeared in person AND was

☐ self-represented OR ☐ represented by

Firm Name _____

Attorney's Name _____

2. JOINT PETITIONER-HUSBAND ☐ did not appear OR ☐ appeared in person AND was

☐ self-represented OR ☐ represented by

Firm Name _____

Attorney's Name _____

3. Others Appearing at Trial:

III. FINDINGS OF FACT:

1. **Jurisdiction.** Mark only one with an **X**.

A. ☐ The WIFE ☐ The HUSBAND or ☐ BOTH lived in Waukesha County for more than thirty (30) days before the case was filed.

AND

Mark only one with an **X**.

B. ☐ The WIFE ☐ The HUSBAND or ☐ BOTH lived in the State of Wisconsin for more than six (6) months before the case was filed.

2. **JOINT PETITIONER-WIFE**

Full name

(First) (M.I.) (Last)

Social Security Number

____-____-____

Date of Birth

____, 19____
(Month) (Day) (Year)

Address

_____, Apt #_____
(Street Address)

_____, _____
(City) (State) (ZIP Code)

Occupation

(Job Title)

Income:

Current monthly earnings

Gross

\$ _____

3. **JOINT PETITIONER-HUSBAND**

Full name

(First) (M.I.) (Last)

Social Security Number

____-____-____

Date of Birth

____, 19____
(Month) (Day) (Year)

Address

_____, Apt #_____
(Street Address)

_____, _____
(City) (State) (ZIP Code)

Occupation

(Job Title)

Income:

Current monthly earnings

Gross

\$ _____

4. The parties were married on

They were married in

_____, _____, _____
(Month) (Day) (Year).

_____, _____
(City) (State)

5. There are _____ adult child(ren) of this marriage.

6. Mark only one with an X.

A. ☐ The wife is **not** currently pregnant.

B. ☐ The wife **is** currently pregnant and the husband ☐ **is** ☐ **is NOT** the biological father.

7. Mark all that apply with an X.

A. ☐ Neither party has filed for divorce or legal separation from each other in Wisconsin or any other state.

B. ☐ The WIFE has filed for divorce from this marriage before.

He/she filed for divorce in

_____, _____
(City) (State)

The case number was

The case was dismissed on

_____, _____, _____
(Month) (Day) (Year).

C. ☐ The HUSBAND has filed for divorce from this marriage before.

He/she filed for divorce in

_____, _____
(City) (State)

The case number was

The case was dismissed on

_____, _____, _____
(Month) (Day) (Year).

8. **The marriage is irretrievably broken.**

9. **Property.**

The parties' assets, their interests, values, and their encumbrances and debts are found to be as stated in the **Financial Disclosure** forms, which were updated as required by statute on the record at the time of trial, and are on file. The division of all debts, obligations, property, and real estate has been set forth in the **Marital Settlement Agreement**.

10. The parties' **Marital Settlement Agreement** is found to be fair and reasonable, is approved in its entirety, and is incorporated by reference as the judgment of the court.

11. ☐ Other specific findings are attached.

☐ There are no additional specific findings.

IV. CONCLUSIONS OF LAW AND JUDGMENT

1. Divorce.

The marriage between the
JOINT PETITIONER-WIFE, _____,
(First) (M.I.) (Last)

whose address is _____, Apt # _____,
(Street Address)

_____,' (City) (State) (ZIP Code)

and who works as a(n) _____
(Job Title)

and the
JOINT PETITIONER-HUSBAND, _____,
(First) (M.I.) (Last)

whose address is _____, Apt # _____,
(Street Address)

_____,' (City) (State) (ZIP Code)

and who works as a(n) _____
(Job Title)

is dissolved, and the parties are divorced effective on _____, 20____,
(Month) (Day) (Year)

except as the parties are informed by the court that under sec. 765.03(2) Wis. Stats.:

It is unlawful for any person, who is or has been a party to an action of divorce in any court in this state, or elsewhere, to marry again until six months after judgment of divorce is granted, and the marriage of any such person solemnized before the expiration of six months from the date of the granting of judgment of divorce shall be void.

2. Maintenance Payments.

A. Pursuant to sec. 767.265, Wis. Stats., this judgment constitutes an immediate assignment of all commissions, earnings, salaries, wages, pension benefits, benefits under Chapter 102 or 108, and other money due or to be due in the future, to the WI SCTF. The assignment shall be for an amount sufficient to ensure payment under this judgment and to pay any arrears due at a periodic rate not to exceed 50% of the amount of maintenance due under the judgment, so long as the addition of the amount toward arrears does not leave the party at an income below the poverty line established under 42 USC 9902(2).

B. All ordered payments shall be made to the Wisconsin Support Collections Trust Fund (WI SCTF) at Box 74200, Milwaukee, WI 53274-0200. If for any reason the payment is not withheld from the payer's income, the payer shall be responsible for making such payment directly to WI SCTF.

C. The payer shall pay the annual receiving and disbursement fee of \$35.00, pursuant to sec. 767.29 (1)(d), Wis. Stats. All ordered payments shall be made to:

WI SCTF
PO Box 74200
Milwaukee, WI 53274-0200

D. Both parties shall notify the Waukesha County Clerk of Circuit Court-Family Division, the Waukesha County Child Support Division, and the other party within ten (10) business days of any address change. Further, the payer shall notify the Waukesha County Child Support Division and the payee, within ten (10) business days, of any change of employer and employer's address, and of any substantial change in the amount of his/her income, including receipt of bonus compensation, such that his/her ability to pay maintenance is affected. Notification of any substantial change in the amount of the payer's income will not result in a change in the order unless a revision or adjustment of the order is sought.

E. A withholding assignment or order under this section has priority over any other assignment, garnishment, or similar legal process under Wisconsin law. The employer shall not withhold more of the employee's disposable income than allowed pursuant to the Federal Consumer Credit Protection Act unless the employee agrees to have the full amount withheld. No employer may use an assignment under this section to deny employment, or to discharge or take disciplinary action against an employee. (sec. 767.265, Wis. Stats.)

F. Any income withholding put into effect in this case shall continue until all outstanding obligations are paid, or until further order of the court.

3. **Marital Settlement Agreement.**

The parties' **Marital Settlement Agreement**, dated _____, 20 ____, is attached to this Judgment, incorporated by reference, and is made the judgment of the court (except that the agreement was amended at the time of trial as follows). **Any and all changes and/or decisions made by the court to the Marital Settlement Agreement, or any other matter of this divorce during trial, must be written below or attached.**

☐ The court has not ordered any changes or amendments to the **Marital Settlement Agreement** that need to be written in or attached.

4. Lis Pendens.

A. ☐ No lis pendens was filed in this divorce action.

B. ☐ The lis pendens filed in this divorce action on _____, 20 __ __, in the office of the register of deeds for _____ County, Wisconsin, is released to the real properties as described on page(s) _____ of the **Marital Settlement Agreement**.

5. Attorney Fees.

All payments of attorney fees provided for herein shall be paid directly to the attorney or to the state or county providing services under sec. 46.25 or 49.19, Wis. Stats., which may enforce the order in its name.

6. Noncompliance.

Disobedience of the court orders is punishable under ch. 785, Wis. Stats., by commitment to the county jail until the judgment is complied with and the costs and expenses of the proceedings are paid, or until the party committed is otherwise discharged, according to law.

7. Restoration of Name.

A. ☐ The WIFE is restored use of her former surname of _____.

B. ☐ The HUSBAND is restored use of his former surname of _____.

8. Entry of Judgment. The Clerk of Court's office per 806.06(1),(2), Wis. Stats., shall enter this judgment by affixing a file stamp that is dated.

Dated: _____

BY THE COURT:

Circuit Court Judge

Approved as to form By

Approved as to form By

JOINT PETITIONER-WIFE or her Attorney(s)
Attorney's State Bar Number: _____

JOINT PETITIONER-HUSBAND or his Attorney(s)
Attorney's State Bar Number: _____

Approved as to form (and statutory content)

By _____
State of Wisconsin (if a party)
State Bar Number: _____